



April 25, 2023

The Honorable Deb Haaland  
Secretary, Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

VIA EMAIL

Dear Secretary Haaland,

I seek your assistance in getting the approval of a mine plan amendment for the Black Butte Mine near Rock Springs, Wyoming. In 2019, Black Butte submitted their application for their amendment to the existing mine plan in order to continue to mine coal for the Jim Bridger Power Plant. The State program approved the mine plan amendment on January 15, 2021 for 9.2 million tons of coal recovery. The Office of Surface Mining, Reclamation and Enforcement (OSMRE) held the plan in review since January 15, 2021 without issuance of a required Right of Entry Letter. During that time, the OSMRE has continually requested more information for completion of their review and approval, and apparently have deliberately delayed processing the application. It is my understanding that the mine has received conflicting requests for additional information and is unable to get clarification on what is actually required. After several reviews/approvals by the Office of the Solicitor, the approval appears to have stalled. At this time, the coal within the proposed federal mine plan amendment has been through three NEPA reviews. All of which are complete. (The BLM Regional Resource Management Plan, The BLM Coal Leasing Action and associated Record of Decision, and OSMRE's Federal Mine Plan Review).

This approval and the coal being recovered in the public interest is required under the Federal Mineral Leasing Act (FMLA). This facility also has significant economic benefits for the region. The mine employs approximately 145 people, many of whom are union workers. Noting how urgent it is that we address climate change, it is encouraging that PacifiCorp is currently processing responses to their Request for Proposals to build carbon capture facilities on units 3 and 4 of the plant. Approving the mine plan will support carbon capture and eventually sequestration efforts and further Wyoming's long-term net negative carbon emissions reduction effort. Further delay only puts at risk our best chance to off-set carbon emissions, which continue elsewhere in the world unabated.

My office has directly contacted the Acting Director of OSMRE and Deputy Secretary Beaudreau concerning the status of the mine amendment twice in the last few weeks. I have yet to receive any kind of a response. Simply put, the silence is deafening. A mine plan amendment should not require duplicative environmental reviews, nor should the regulatory agency simply ignore requests from the State of Wyoming.

Madame Secretary, this is a matter of importance to me and many electric consumers in Wyoming, Idaho and the Pacific Northwest. Furthermore, if we are to avoid climate catastrophe, it is imperative that we move expeditiously to not only reduce carbon emissions, but to be diligent in removing excess carbon dioxide in our atmosphere as soon as possible. Then carbon capture and sequestration are critical to those efforts. I ask you to review this matter, so this plan approval can move forward without further delay. Should you have any questions, do not hesitate to contact Randall Luthi of my staff at 307-777-7520 or at [randall.luthi@wyo.gov](mailto:randall.luthi@wyo.gov).

Thank you for your assistance.

Sincerely,



Mark Gordon  
Governor

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